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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,850	01/29/2004	Yohei Yamamoto	248260US2	2355
22850 7590 03/27/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER LEE, WILSON	
			ART UNIT	PAPER NUMBER
			2163	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		03/27/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary

Application No.

10/765,850

Applicant(s)

YAMAMOTO, YOHEI

Examiner

Wilson Lee

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/29/04, 8/8/06</u> . | 6) <input type="checkbox"/> Other: ____. |

Claim Rejections – 35 U.S.C. 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 25 and 26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim is directed to a computer program and is not embodied on a computer readable medium. A claim that recites a piece of software alone without any link to a hardware component (computer readable medium) is directed to non-statutory subject matter. It is not patent eligible subject matter in accordance with *In re Warmerdam*, 31 USPQ 2d, 1354.

Claims 22-26 are rejected under 35 U.S.C. 101 because they lack tangible result and useful result. It must further include a practical application in order to produce a real world result. (MPEP 2107 and Fisher, 421 F. 3d 76 USPQ 2d at 1230 and Benson. 409 U.S. at 71-72, 175 USPQ at 676-77).

Claim Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Art Unit: 2163

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Duncan et al. (US 2005/011,4672).

Regarding Claim 1, Duncan discloses a document management device having a document storage unit for storing a document (Se Figures 2, 7-9), comprising:

- a usage permission information request reception unit configured to receive a usage permission information request from a usage permission information requesting client, said usage permission information permitting usage of the document storage unit (archive) (See paragraphs 0021, 0185, 0190, 0267);
- a usage permission information generation unit configured to generate the usage permission information in response to the received usage permission information request (See paragraphs 0014, 0015, 0021); and
- a usage permission information transmission unit configured to transmit the usage permission information to the usage permission information requesting client (See paragraphs 0014, 0021, 0022).

Regarding Claim 2, Duncan discloses that the usage permission information generation unit generates (See Figures 7-9) the usage permission information and identification information of the usage permission information and holds the usage

Art Unit: 2163

permission information (retained in permission layer) (See paragraphs 0014, 0022, 0028, 0062, 0091, 0096, 0263).

Regarding Claim 3, Duncan discloses that the usage permission information transmission unit transmits (See Figures 7-9) the identification information to the usage permission information requesting client (user) as the usage permission information (See paragraphs 0014, 0022, 0028, 0062, 0091).

Regarding Claim 4, Duncan discloses that the usage permission information includes identification information of the document storage unit and authority information of the usage permission information. (See paragraphs 0014, 0022, 0028, 0062, 0091).

Regarding Claim 5, Duncan discloses that the usage permission information includes identification information of the document storage unit and effective period (period of time) information of the usage permission information (See paragraphs 0014, 0022, 0062).

Regarding Claim 6, Duncan discloses that the usage permission information includes identification information of the document storage unit and information of a maximum number of connections (given number of access) with the document management device (See paragraphs 0029, 0032, 0259).

Regarding Claim 7, Duncan discloses that the usage permission information includes identification information of the document storage unit and information of a maximum number of operations of document storage in the document storage unit. (See paragraphs 0020, 0025, 0033, 0068, 0073).

Art Unit: 2163

Regarding Claim 8, Duncan discloses that the usage permission information includes identification information of the document storage unit and information of a storage capacity in the document storage unit (See paragraphs 0062, 0170).

Regarding Claim 9, Duncan discloses that the usage permission information includes a plurality of items of identification information of the document storage units (See Figures 2, 7-9).

Regarding Claim 10, Duncan discloses the document management device as claimed in claim 1, further comprising:

- a usage request reception unit configured to receive a usage request from a usage requesting client for using the document storage unit (See Figures 2, 7-9, paragraphs 0021, 0185, 0190, 0267); and
- a usage unit configured to use the document storage unit according to the usage permission information (See Figures 2, 7-9, paragraphs 0014, 0021, 0022).

Regarding Claim 11, Duncan discloses that the usage requesting client is different from the usage permission information requesting client (See Figures 2, 7-9).

Regarding Claim 12, Duncan discloses that the usage request includes information on the document and information on the document storage unit (See Figures 2, 7-9, paragraphs 0014, 0022, 0028, 0062, 0091, 0096, 0263).

Regarding Claim 13, Duncan discloses that the usage unit stores the document in the document storage unit according to the usage permission information (See Figures 2, 7-9, paragraphs 0014, 0021, 0022).

Regarding Claim 14, Duncan discloses the document management device as claimed in claim 13, further comprising:

- a document identification information appending unit configured to append document identification information for identifying the stored document to the usage permission information, said document identification information being appended as an editable data (See Figures 2, 7-9, paragraphs 0014, 0015, 0021, 0185, 0190, 0267).

Regarding Claim 15, Duncan discloses the document management device as claimed in claim 13, further comprising:

- a document identification information transmission unit configured to transmit document identification information for identifying the stored document to the usage requesting client (See Figures 2, 7-9, paragraphs 0014, 0015, 0022, 0028, 0062, 0091, 0096, 0263).

Regarding Claim 16, Duncan discloses the document management device as claimed in claim 13, further comprising:

- a document usage permission information transmission unit configured to transmit information for permitting usage of the stored document to the usage requesting client (See Figures 2, 7-9).

Regarding Claim 17, Duncan discloses that the usage unit includes a determination unit that determines whether the document storage unit requested by the usage request is at a lower level than the document storage unit permitted for use by the usage permission information generated by the usage permission information generation unit (See Figures 2, 7-9).

Regarding Claim 18, Duncan discloses the document management device as claimed in claim 1, further comprising:

- a document list information request reception unit configured to receive a document list information request from a document list information requesting client for acquiring document list information of at least one document stored in the document storage unit (See Figures 2, 7-9, paragraphs 0021, 0185, 0190, 0267); and
- a document list information transmission unit configured to transmit the document list information to the document list information requesting client in response to the received document list information request (See Figures 2, 7-9, paragraphs 0014, 0021, 0022).

Regarding Claim 19, Duncan discloses the document management device as claimed in claim 1, further comprising:

- a document content information request reception unit configured to receive a document content information request from a document content information requesting client for acquiring information of contents of the document stored in the document storage unit (See Figures 2, 7-9, paragraphs 0021, 0185, 0190, 0267); and
- a document content information transmission unit configured to transmit the document content information to the document content information requesting client in response to the received document content information request (See Figures 2, 7-9, paragraphs 0014, 0021, 0022).

Regarding Claim 20, Duncan discloses the document management device as claimed in claim 1, further comprising:

a connection permission information request reception unit configured to receive a connection permission information request from a connection permission information requesting client for acquiring connection permission information that includes the usage permission information and permits connection with the document management device; a connection permission information generation unit configured to generate the connection permission information in response to the received, connection permission information request; and a connection permission information transmission unit configured to transmit the connection permission information to the connection permission information requesting client (See Figures 2, 7-9):

Regarding Claim 21, Duncan discloses

- an identification information request reception unit configured to receive an identification information request, made by the connection permission information requesting client, for acquiring identification information of the document storage unit, said identification information of the document storage unit including the connection permission information and the usage permission information (See Figures 2, 7-9, paragraphs 0021, 0185, 0190, 0267); and
- an identification information transmission unit configured to transmit the identification information to the connection permission information requesting client that requests the identification information in response

to the received identification information request (See Figures 2, 7-9, paragraphs 0014, 0015, 0021).

Regarding Claim 22, Duncan discloses a method of a document management device having a document storage unit (archive) for storing a document (See Figures 2, 7-9), comprising the steps of:

- receiving a usage permission information request from a usage permission information requesting client (user) for acquiring usage permission information that permits usage of the document storage unit (See paragraph 0021, 0185, 0190, 0267);
- generating the usage permission information in response to the received usage permission information request (See paragraphs 0014, 0015, 0021); and
- transmitting the usage permission information to the usage permission information requesting client (See paragraphs 0014, 0021, 0022).

Regarding Claim 23, Duncan discloses that the steps (See Figures 2, 7-9) of:

- receiving a usage request from a usage requesting client (user) for using the document storage unit (archive); and
- using the document storage unit (archive) according to the usage permission information.

Regarding Claim 24, Duncan discloses that the usage requesting client (user) is different from the usage permission information requesting client (another user) that

Art Unit: 2163

receives the usage permission information transmitted in the step of transmitting the usage permission information (See Figures 7-9).

Regarding Claim 25, Duncan discloses a program executable by a computer for operating a document management device having a document storage unit (archive) for storing a document (See Figures 2, 7-9), comprising the steps of:

- receiving a request from a client for acquiring usage permission information that permits usage of the document storage unit (archive) (See paragraph 0021, 0185, 0190, 0267);
- generating the usage permission information in response to the received request (See paragraphs 0014, 0015, 0021); and
- transmitting the usage permission information to the client (See paragraphs 0014, 0021, 0022).

Regarding Claim 26, Duncan discloses a storage medium storing a program executable by a computer for operating a document management device having a document storage unit (archive) for storing a document (See Figures 2, 7-9), comprising the steps of:

- receiving a request from a client (user) for acquiring usage permission information that permits usage of the document storage unit (archive) (See paragraph 0021, 0185, 0190, 0267);
- generating the usage permission information in response to the received request (See paragraphs 0014, 0015, 0021); and

- transmitting the usage permission information to the client. (See paragraphs 0014, 0021, 0022).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Anuff et al. (US 2002/0029296) discloses a portal server that provides a customizable user interface for access to computer networks. Wang (5,333,312) discloses a synchronous and asynchronous copying of a document into a folder in a target library. Howell et al. (5,276,901) discloses a system for controlling group access to objects using group access control folder and group identification as individual user.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824.

Papers related to the application may be submitted by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The official fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

Art Unit: 2163

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Wilson Lee", is written over a horizontal line.

Wilson Lee
Primary Examiner
U.S. Patent & Trademark Office

3/16/07